

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

UNITED STATES OF AMERICA	§	
	§	
	§	
v.	§	No. 7:06-CR-025-R
	§	ECF
CHRISTIAN JOE ALLISON	§	
	§	

FACTUAL RESUME

Christian Joe Allison, Carlton McLarty, the defendant's attorney, and the United States of America (the government), represent the following elements and facts to this Honorable Court:

ELEMENTS OF THE OFFENSE

Count One

Felon in Possession of a Firearm
(Violation of 18 U.S.C. § 922(g)(1) and 924(a)(2))

- First:** That the defendant knowingly possessed a firearm. The term "firearm" means any weapon that will or is designed to or may readily be converted to expel a projectile by the action of an explosive.
- Second:** That before the defendant possessed the firearm, the defendant had been convicted in a court of a crime punishable by imprisonment for a term in excess of one year, that is, a felony offense; and
- Third:** That the possession of the firearm was in or affecting commerce; that is, that before the defendant possessed the firearm, it had traveled at some time from one state to another.

STIPULATED FACTS

On or about July 16, 2006, Iowa Park Police Department Sergeant Jimmy Eaton and Officer Roger Jennings received information that a possibly intoxicated driver was driving erratically on US 287 southbound, running vehicles off of the road, and the driver was possibly armed. The officers responded and observed a brown four-door Chevrolet Impala, bearing license plate Z42-JVK, occupied by two white men. The vehicle was pulled over in the 800 block of US 287 southbound, in the Wichita Falls Division of the Northern District of Texas.

The driver of the car was identified as defendant Christian Joe Allison, whose breath smelled of alcohol and who had involuntary movement of the eyes consistent with being under the influence of alcohol. In addition, there was a cooler in the back seat with eleven beers missing from a 30-pack of beer. Allison advised Officer Jennings that there was a pistol in the glove box and a shotgun in the trunk. The officers recovered a loaded Star, model 30M, 9 millimeter pistol, bearing serial number 1896635 in the unlocked glove box, and a loaded West Point (Stevens) model 167 H, 12 gauge shotgun, bearing no serial number, in the trunk of the car. Also discovered inside the vehicle were two boxes of 9 millimeter bullets, a box of shotgun shells, and a 24-inch machete.


Prior to possessing the firearm, Allison had been convicted of offenses including, but not limited to, case number 47,217-A, for Burglary of a Building; case number 15,969-A, for Burglary of a Habitation; case numbers 44,679-A and 48,758-A, for

Unauthorized Use of a Motor Vehicle; and case number 48,614-A, for Possession of a Controlled Substance, all of which are felony offenses punishable by imprisonment for a term in excess of one year.

Allison agrees and stipulates that on or about July 16, 2006, in the Wichita Falls Division of the Northern District of Texas and having been convicted of a crime punishable by imprisonment for a term exceeding one year, he did knowingly and unlawfully possess in and affecting commerce a firearm, to wit: (1) a Star, model 30M, 9 millimeter pistol, bearing serial number 1896635; and (2) a West Point (Stevens) model 167 H, 12 gauge shotgun, bearing no serial number, which had previously been shipped and transported in interstate and foreign commerce, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

AGREED TO AND SIGNED this 26 day of July, 2007.


RICHARD B. ROPER
UNITED STATES ATTORNEY



CHRISTIAN JOE ALLISON
Defendant



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